
A BILL FOR AN ACT

MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS
OFFICERS, OR ITS EMPLOYEES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

PART I

SECTION 1. The following sums or so much thereof as may be necessary for fiscal year 2011-2012 are appropriated out of the general revenues of the State of Hawaii to the department of the attorney general for the purpose of satisfying claims for legislative relief as to the following named persons, firms, corporations, and entities, for claims against the State or its officers or employees for the overpayment of taxes, or for refunds, reimbursements, payments of judgments or settlements, or other liabilities, in the amounts set forth opposite their names:

**JUDGMENTS AGAINST THE STATE
AND SETTLEMENTS OF CLAIMS:**

AMOUNT

1. DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES:

Elections Systems & Software, Inc. v. Cronin, et al., CAAP-11-0000078	\$ 1,205,000.00 Settlement
Tanaka, et al. v. State of Hawaii, et al. Civil No. 09-00579, USDC	\$ 73,000.00 Settlement



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2 SUBTOTAL: \$ 1,278,000.00
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4 2. DEPARTMENT OF EDUCATION:
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6 Miljkovic v. State of Hawaii, et al. \$ 7,500.00
7 Civil No. 09-00064 ACK-KSC, USDC Settlement
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11 SUBTOTAL: \$ 7,500.00
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13 3. DEPARTMENT OF LAND AND NATURAL RESOURCES:
14
15 Ah Loo v. State of Hawaii, et al. \$ 40,000.00
16 Civil No. 11-1-0032, Fifth Circuit Settlement
17
18 Weingartner v. State of Hawaii, et al. \$ 90,000.00
19 Civil No. 09-1-1563-07, First Circuit Settlement
20
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22
23 SUBTOTAL: \$ 130,000.00
24
25 4. DEPARTMENT OF PUBLIC SAFETY:
26
27 Gishi v. State of Hawaii, et al. \$ 75,000.00
28 Civil No. 10-1-0198-01, First Circuit Settlement
29
30 Glessner v. State of Hawaii, et al. \$ 30,000.00
31 MCCP No. 2010-066 Settlement
32
33 Graff, et al. v. State of Hawaii, et al. \$ 156,814.01
34 Civil No. 08-1-0975-05, First Circuit Settlement
35
36 Timas v. State of Hawaii, et al. \$ 60,000.00
37 Civil No. 10-00517, USDC Settlement
38
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40 SUBTOTAL: \$ 321,814.01
41
42 5. OFFICE OF HAWAIIAN AFFAIRS:
43



Tsachev v. State of Hawaii, et al.	\$ 162,500.00
Civil No. 09-1-1207-05	Settlement

SUBTOTAL:	\$ 162,500.00
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Total (SECTION 1):	\$ 1,899,814.01
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The sums appropriated shall be expended by the department of the attorney general for the purposes of this Act.

PART II

SECTION 2. The following sums or so much thereof as may be necessary for fiscal year 2011-2012 are appropriated out of the state highway fund for the purpose of satisfying claims for legislative relief as to the following named persons, for claims against the State or its officers or employees for payments of judgments or settlements, or other liabilities, in the amount set forth opposite their names:

JUDGMENTS AGAINST THE STATE AND SETTLEMENTS OF CLAIMS:	AMOUNT
DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION:	
Kuahiwinui, et al. v. Zelo's, et al.	\$ 210,000.00
Civil No. 08-1-0067, Fifth Circuit	Settlement
Ackerman v. Kuahiwinui, et al.	
Civil No. 08-1-0069, Fifth Circuit	
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SUBTOTAL:	\$ 210,000.00



1 TOTAL (SECTION 2) \$ 210,000.00

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3 The sums appropriated shall be expended by the department
4 of transportation, highways division, for the purposes of this
5 Act.

6 PART III

7 SECTION 3. The sums hereinabove may be paid to the
8 respective persons, or for the satisfaction or settlement of the
9 respectively identified cases, and in several amounts
10 hereinabove set forth or in lesser amounts deemed appropriate,
11 upon checks issued by the comptroller; provided departments
12 shall obtain the approval of the attorney general before payment
13 of any claim can be made.

14 SECTION 4. Notwithstanding the sums hereinabove stated as
15 interest upon judgments against the State, payment of interest
16 shall be limited to the period from the date of judgment, if
17 applicable, to thirty days after the effective date of this Act,
18 as provided in section 662-8, Hawaii Revised Statutes, for those
19 cases to which the statute applies.

20 SECTION 5. All unexpended and unencumbered balances of the
21 appropriations made in this Act as of the close of business on
22 June 30, 2013, shall lapse.



1 SECTION 6. If any provision of this Act, or the
2 application thereof to any person or circumstance is held
3 invalid, the invalidity does not effect other provisions or
4 applications of the Act, which can be given effect without the
5 invalid provision or application, and to this end the provisions
6 of this Act are severable.

7 SECTION 7. This Act shall take effect upon its approval.



Report Title:

Appropriations; Claims Against State

Description:

Makes appropriations for claims against the State, its officers, and its employees. (SD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

